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सत्यमेव जयते

**IN THE COURT OF THE SESSIONS JUDGE OF DAHOD
AT DAHOD**

**Criminal Misc. Application No.470/2026
Exh.6**

APPLICANT :-	Age (Years)	Occu- pation	Resident
1) Upendrabhai Manubhai Damor	22	Agriculture / Driving	Biyamali, Damor Faliyu, Tal. Jhalod Dist.Dahod.
2) Rohitbhai Valsingbhai Parmar	20	Agriculture	Devjini-Saraswani Malkana Faliyu, Tal.Jhalod, Dist. Dahod.
3) Rajubhai Kalubhai Muniya	31	Agriculture	Parthampur, Kunja Faliyu, Tal. Govindguru, Limdi,Dist.Dahod

Versus

OPPONENT :-	The State of Gujarat, Gandhinagar. (Summons through the Public Prosecutor, Dahod.)
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APPEARANCES :

Mr. D. S. Rathod, Learned Advocate for Applicants

Mr. A. K. Parikh, Learned I/c. P. P. for the State

Subject :- Application under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita 2023 for Regular Bail.

:- JUDGMENT :-

- (1) The applicants have filed the present application seeking regular bail u/Sec.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with F. I. R. registered with **Chakaliya Police Station Part-C C. R. No.11821051260483/2026** for the offences punishable Under Sections 65(a)(e), 81, 98(2), 116(B) of the Prohibition Act.
- (2) As per the F. I. R., the applicants are caught by police while transporting prohibited country-made foreign liquor worth Rs.1,59,315/- in vehicles Maruti Echo No.GJ-06 HS-6165 and Maruti Echo No.GJ-01 RS-7688 without pass-permit.
- (3) Learned Advocate Mr. D. S. Rathod has argued that, the present applicants are innocent and they have not committed the alleged offence. No Muddamal as alleged has been recovered from their possession as alleged and they are falsely involved in this offence. They are unknown about the seized muddamal. There is no prima-facie case against the applicants. The offences alleged

against the applicants are not punishable with death penalty or life imprisonment and the offences are triable by the Court of Judicial Magistrate First Class. So, trial against the applicants will take time. If the applicants are kept in jail, it will amount to pre-trial conviction. The applicants are local residents and they have no criminal history. It is accordingly urged to enlarge the applicants on bail.

- (4) Per contra, learned I/c. P. P. Mr. A. K. Parikh on behalf of the State has argued that, on the basis of secret information, Police has intercepted two vehicles No.GJ-06 HS-6165 and No.GJ-01 RS-7688 and during the search, prohibited liquor worth Rs.1,59,315/- is found without pass or permit. The applicant No.1 and 3 are the driver of the said vehicle while applicant No.2 was accompanying the applicant No.1 in vehicle GJ-06 HS-6165 and involved in transportation of prohibited liquor. The applicants are caught with prohibited liquor and they are prima-facie involved in this offence. Investigation is going on. Therefore, no bail may be granted to the applicants.
- (5) Read the application. Heard the learned Advocates of both sides. Perused the investigation papers as well as affidavit filed by the Investigating Officer. Upon perusal of the case papers, it prima-facie appears that, on the basis of secret information, Police intercepted two vehicles Maruti Suzuki Eeco No.GJ-06 HS-6165 and Maruti Suzuki Eeco No.GJ-

01 RS-7688 wherein the applicant Nos.1 and 3 were the driver of the respective vehicles while applicant No.2 was accompanying the applicant No.1 in Maruti Suzuki Eeco No.GJ-06 HS-6165 and during the search of Maruti Suzuki Eeco No.GJ-06 HS-6165, 475 bottles of prohibited liquor worth Rs.79,675/- were found without pass or permit while 236 bottles of prohibited liquor worth Rs.44,840/- were found without pass or permit from vehicle Maruti Suzuki Eeco No.GJ-01 RS-7688 and seized by police. The vehicles used in the alleged offence and the prohibited liquor have already been seized by police. Looking to the quantity of the prohibited goods, it is worth of Rs.79,675/- and Rs.44,840/- respectively. The offences alleged against the applicant are triable by the Court of J. M. F. C. and trial after filing of charge-sheet will take time. No death penalty or life imprisonment has been prescribed for the offences alleged against the applicants. The applicants are residents of Jhalod Sub-District and their presence can be secured during the course of investigation as well as trial by imposing stringent conditions. Therefore, looking to the quantity of the prohibited liquor and having considered the principles laid down by the Honourable Supreme Court in the case of **Sanjay Chandra Vs. C. B. I. (Supra)** and in the case of **Satender Kumar Antil V/s. CBI (Supra)**, this Court deems it fit and appropriate to enlarge the applicants on bail with stringent conditions. Accordingly, following order ensues.

:- ORDER :-

- (1) The present bail application filed by applicant-accused No.1 **Upendrabhai Manubhai Damor**, No.2 **Rohitbhai Valsingbhai Parmar** and No.3 **Rajubhai Kalubhai Muniya** under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with offence registered with **Chakaliya Police Station Part-C C. R. No. 11821051260483/2026** for the offences punishable Under Sections 65(a)(e), 81, 98(2), 116(B) of the Prohibition Act is hereby **allowed**.
- (2) The applicants - accused are hereby ordered to be released on regular bail on furnishing a surety of Rs.15,000/- (Rupees Fifteen Thousand only) and personal bond of like amount each on following conditions.

Conditions :-

- (A) The applicants shall not hamper or tamper with the prosecution evidence and witnesses;
- (B) The applicants shall mark their presence before **Chakaliya Police Station** on every 1st Day of each English calendar month between 11.00 a.m. to 2.00 p.m. once in a month till the filing of charge-sheet;
- (C) The applicants shall remain present as and when called by the Investigating Officer for investigation purpose and shall cooperate in investigation;
- (D) The applicants shall not leave the territory of India without prior permission of the Court;
- (E) The applicants shall surrender their passport with the Trial Court within seven days from the date of this order. If they do not possess passport, then they shall file affidavit to that effect;

- (F) The applicants shall produce the proof of their permanent residence at the time of furnishing the bail bond and shall not change their address without prior permission of the Court.
- (3) Bail bond be executed before the learned trial Court.
- (4) Yadi be sent to the concerned Court and police station accordingly.
- (5) PDF Copy of the order be sent to the concerned Jail Authority through email to furnish a copy of the order to the applicant-accused.

Signed and pronounced in the open Court on this 02nd Day of June, 2026.

Dt.02.06.2026
Place : Dahod

(Harishchandrasinh Gulabsinh Vaghela)
Sessions Judge,
Dahod.
(Code No.GJ00590)

DSS, EA